

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DRAKE A. EDWARDS,	:	
	:	
Plaintiff,	:	Case No. 3:08CV0156
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
GWENDOLYN E. TURNER,	:	
	:	
Defendant.	:	
	:	

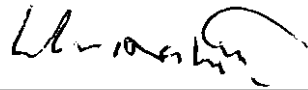
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
FILED ON MAY 15, 2008 (Doc. #3); DISMISSING PLAINTIFF'S COMPLAINT
WITH PREJUDICE AS TO HIS FEDERAL CLAIMS AND WITHOUT
PREJUDICE AS TO HIS POTENTIAL STATE LAW CLAIMS; CERTIFYING,
PURSUANT TO 28 U.S.C. §1915(a), THAT AN APPEAL BY PLAINTIFF
WOULD NOT BE TAKEN IN GOOD FAITH, AND CONSEQUENTLY,
DENYING LEAVE FOR PLAINTIFF TO APPEAL *IN FORMA PAUPERIS*; AND
TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #3), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 15, 2008 (Doc. #3) is

ADOPTED in full;

2. Plaintiff's Complaint is DISMISSED with prejudice as to his federal claims and without prejudice as to his potential state law claims;
3. The Court certifies, pursuant to 28 U.S.C. §1915(a), that an appeal by Plaintiff would not be taken in good faith, and consequently, leave for Plaintiff to appeal *in forma pauperis* is denied; and
4. This case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge